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Held at the Palais Wilson, Geneva, on Thursday, 23 April 2015, at 10 a.m.

Chairperson: Mr. Grossman

Contents

Consideration of reports submitted by States parties under article 19 of the Convention (*continued*)

Second periodic report of Romania

Meeting with the Chairperson of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention (*continued*)

Second periodic report of Romania (CAT/C/ROU/2 and CAT/C/ROM/Q/2)

1. *At the invitation of the Chairperson, the delegation of Romania took places at the Committee table.*

2. **Ms. Morar** (Romania) said that Romania had become party to the Convention for the Protection of Human Rights and Fundamental Freedoms and its additional Protocols and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and its additional Protocols. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment had been carrying out visits to Romania since 1995 and all corresponding reports were published at the request of the Government of Romania. The Committee's most recent visit had been in 2014. A national preventive mechanism had been set up in 2014 within the Romanian People's Advocate (the national Ombudsman).

3. The national Constitution had been overhauled; reforms relating to the legislative, judicial and penitentiary systems had been introduced and legislation had been adopted to regulate various aspects linked to the protection of fundamental rights. Consequently, victims of crime had been granted access to legal aid and to compensation in cases where their rights had been violated. A framework had also been established for the protection of victims of trafficking in persons and domestic violence.

4. Significant progress had been made on international judicial cooperation, particularly relating to criminal activities and extradition. Steps had been taken to strengthen the protection offered to migrants and asylum seekers and to combat the exploitation of such groups. Since 2007, Romania had taken a series of steps to bring domestic legislation into line with European Union (EU) law and to develop a framework for the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In 2014, a number of new pieces of criminal legislation had entered into force, including the Criminal Code, the Criminal Procedure Code, the corresponding acts on implementation and an act on the probation system.

5. In 2014, Romania had submitted a report on the implementation of the Covenant on Economic, Social and Cultural Rights and intended to submit a report on the implementation of the International Covenant on Civil and Political Rights in the near future.

6. **Mr. Tugushi** (Country Rapporteur), turning to article 1, asked whether there had been any cases of the direct application of the Convention and requested information on the application by the domestic courts of article 5 of the Criminal Procedure Code, articles 267 and 358 of the Criminal Code relating to the definition and prohibition of torture and criminal provisions concerning the sanctions imposed for torture. Did the State party have any plans to revise those sanctions?

7. Turning to article 2, he asked whether the national preventive mechanism had carried out any visits to detention facilities or prepared any reports. He asked for an update on the 2003 report on serving sentences in penitentiaries and on any activities related to the Optional Protocol to the Convention. He also asked for information on the structure of the national preventive mechanism and whether it had been established in accordance with the guidelines (CAT/OP/12/5) provided by the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, particularly under point 32. He asked whether a multidisciplinary team had been set up within the national preventive

mechanism, whether the budget of the Romanian People's Advocate had been increased to reflect the needs of the mechanism, whether talks had been held with civil society bodies on partnerships with the mechanism and whether cooperation had been established with non-governmental bodies carrying out visits to places of deprivation of liberty.

8. He asked whether there were any plans to address the lengthy duration of police custody, delays affecting the appearance of detainees before a judge responsible for ordering pretrial detention and the untimely transfer of detainees to detention facilities. He also requested data on the number of detainees affected by those issues.

9. As to the fundamental legal safeguards against torture, the Committee had been informed that there were often delays in notifying relatives of the deprivation of liberty of individuals and in informing detainees of their rights. Furthermore, the Committee had been informed of instances in which police officials had begun informal interrogation procedures in the absence of counsel or a legal representative. He asked what the State party intended to do to address that issue, whether monitoring of police custody took place and whether the national preventive mechanism had unrestricted access to police premises. He asked for comments on reports that police officials were often observed in the vicinity when persons deprived of their liberty were discussing their cases with counsel. He asked for information on cases in which minors deprived of their liberty had sometimes been questioned without access to counsel or a legal representative and he asked what steps had been taken to tackle that issue.

10. He asked whether the State party intended to adopt legislation guaranteeing access to medical treatment from the very beginning of the period of deprivation of liberty. He asked whether any steps would be taken to improve the registration of detainees. He wanted to know what was being done to tackle overcrowding in police custody units and detention facilities and whether there were plans to continue much-needed work to refurbish large prisons. How much living space did each detainee in the penitentiary system have a right to, in law and in practice? How many police officials had been prosecuted and sanctioned for ill-treatment of detainees?

11. He requested information on the use of special intervention units in detention facilities, the number of investigations of allegations of ill-treatment of detainees by prison officials and the corresponding prosecutions and sanctions. He asked whether there were plans to recruit more prison officials in order to help reduce inter-prisoner violence. He asked whether complaints that medical screening of detainees upon admission to prisons and police custody facilities took place in the presence of police or prison officials were true and whether such practices were legal in the State party.

12. He asked whether individual risk assessments were carried out for prisoners prior to their being placed under the maximum security regime and whether there were any plans to step up the implementation of alternative measures to imprisonment. Lastly, he would like to know whether the State party intended to increase the number of medical staff in prisons and police custody units and whether, given the lack of psychiatric care provision in such facilities, the prison authorities made use of clinics outside the penitentiary system.

13. **Ms. Belmir** (Country Rapporteur), turning to article 10, asked for information on training provided to officials (including medical and investigative staff) regarding the identification of signs of torture and ill-treatment and the implementation of the Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

14. With reference to article 11, she said that, in its 2010 report (CPT/Inf (2011) 31) on its visit to Romania, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment had noted a number of serious shortcomings relating

to the conditions and duration of detention of pretrial detainees and she urged the State party to address those issues.

15. The European Committee's report had also pointed to the use of electric shock and improvised coshes during interrogations and the ill-treatment of minors by a unit responsible for investigating offences of organized crime and terrorism. She asked whether the State party had taken steps to eliminate such practices and to send a message of zero tolerance of ill-treatment and the use of excessive force to police officials. Training of law enforcement officers must be strengthened in that regard.

16. She asked why non-regulation objects such as coshes that could be used to inflict harm on detainees were kept at police custody facilities. She pointed to the lengthy duration of pretrial detention for individuals who either had yet to be identified, faced multiple charges, had been deemed to present a threat to public order or were awaiting the outcome of preliminary police inquiries. Furthermore, detainees were sometimes judged and sent back to police custody without having been identified. She asked for an explanation of such practices. Unaccompanied or abandoned minors and child victims of trafficking in persons often did not have access to assistance or counsel and there were shortcomings in terms of the registration of births, making it difficult to identify such individuals. She urged the State party to take steps to strengthen fundamental legal safeguards relating to police custody.

17. With regard to the judicial system, she said that the practice of holding judges responsible for delays in the processing of cases should be reconsidered. On articles 12 and 13, she asked whether the political will existed to bring to trial individuals who had committed crimes under the communist dictatorship. Turning to article 16, she raised the issues of the ill-treatment of children victims of trafficking, violence against women victims of trafficking and the discrimination suffered by the Roma community.

18. **Mr. Modvig** asked how many cases of torture and ill-treatment in prisons and pretrial detention facilities had been reported by doctors during the reporting period and requested information on the corresponding investigations, prosecutions and sanctions. He asked in how many cases detainees had exercised their right to request that an additional medical examination be carried out by a doctor of their choice and how detainees were informed of that right. He asked whether compulsory medical examinations of detainees were carried out on admission to pretrial detention facilities and prisons and, if so, whether time limits had been set for the performance of such examinations.

19. With regard to the establishment of the national preventive mechanism, he asked whether its mandate covered all types of places of deprivation of liberty, including institutions for children or adults with psychosocial disabilities. He asked whether the State party had ensured that the mechanism employed medical staff qualified to monitor conditions in such establishments and to provide any necessary assistance and whether civil society bodies would be involved in such work. With reference to article 14, he asked whether the State party would consider setting up a system to provide information on redress and compensation measures for victims of torture.

20. **Ms. Gaer**, referring to paragraph 25 of the list of issues (CAT/C/ROM/Q/2), said she shared the concerns of Ms. Belmir with regard to the Presidential Commission for the Study of the Communist Dictatorship in Romania; she wished to focus on the situation of impunity since some persons accused of ill-treatment had been identified, but cases had not been investigated. She sought further information concerning the six criminal complaints mentioned in paragraph 328 of the State party report and concerning the 35 persons referred to in paragraph 330 who had been investigated.

21. In paragraph 26 of the list of issues, the Committee had asked for statistical data, which had not been provided. She asked why the State party did not gather data on the nationality or ethnicity of defendants and victims or regarding convictions, as mentioned in

paragraphs 346 and 347 of its report. She asked the delegation to comment on the statement by the European Roma Rights Centre that Romania was "an outlier among European countries in its failure to collect data on racially motivated crime in general and discriminatory police misconduct in particular". In assessing information concerning the treatment of the Roma, it would be useful for the Committee to know whether in the justice system in Romania people of a certain ethnicity or race were over-represented in detention, in orphanages, in homes for persons with mental disabilities or in psychiatric institutions. She understood that abuse of psychiatric facilities had been one of the issues investigated by the Presidential Commission and any analysis of how far past practice influenced the present would be helpful. The availability of data would facilitate an assessment of the claims by the European Roma Rights Centre of discriminatory police conduct against certain minorities.

22. **Mr. Gaye** supported the view that persons deprived of liberty should have the right to a lawyer; he questioned the exceptions from exercising such right listed in paragraph 53 of the State party report: the presence of a lawyer was essential, even in cases of flagrante delicto where the facts of the case and the existence of proof still had to be discussed. He wished to know whether detained persons had the right to legal counsel during questioning in cases of flagrante delicto.

23. In paragraph 152 of its report, the State party maintained that persons had the right to appeal decisions to the court concerning their removal from the territory; he wished to know whether the appeal could have the effect of suspending proceedings and whether the appeals could be used in cases of extradition as well as refoulement.

24. In paragraph 280 of its report, the State party set out the reasons why the number of inmates had increased in the period 2008–2013; he was surprised to learn from the second subparagraph that a failure, since 2003, of any form of criminal liability or consequences of conviction (amnesty or collective pardons) had led to an increase in the prison population. He wished to know whether amnesty or collective pardons had ever been granted in cases of torture.

25. **Mr. Domah** said there was a systemic flaw in the legal and judicial systems in Romania regarding preventive detention. He asked on what facts the State party relied in that respect since the exceptional measures referred to in the report had not been specified. According to article 226 of the new Criminal Procedure Code, preventive arrest during criminal prosecution "shall be ordered at most for 30 days" by a judge, a procedure that contradicted the accepted rule that bail was the norm in criminal prosecutions. Although preventive detention could be appealed in the judicial system, there were procedural barriers such as the obligation to prepare and send files to judges within one day. The laws on preventive detention violated the principle of legality, a principle on which all laws should be based.

26. **Mr. Zhang**, referring to article 12 of the Convention and to prosecution procedures in Romania, asked the State party to explain the assertion in paragraph 365 of its report that "police bodies shall have no jurisdiction in conducting any investigation" in cases of breaches of human rights by a police officer, and the statement in paragraph 366 that the prosecutor could "have investigation acts conducted by the judicial police bodies". Given the statement in paragraph 369 that a police station was competent to investigate a complaint concerning the General Immigration Inspectorate, he was puzzled about the role of the police in the prosecution system. With respect to the right of persons deprived of their liberty to file petitions to the administration of the place of detention, as outlined in paragraph 372, he wished to learn more about the "competent bodies" to whom the petitions would be referred if they had not been solved.

27. With reference to article 15 and to paragraph 434 of the State party report, he asked for examples of specific cases of "unlawful arrest and abusive investigation" which had resulted in the prosecution of law enforcement staff.

28. **Mr. Bruni** asked whether the State party would be ready to consider acceptance of the procedure under article 22 of the Convention by declaring the Committee competent to examine individual complaints.

29. He noted the statement in paragraph 176 of the report that "no evidence could be produced regarding cases where persons or foreign official agencies were involved, in Romania, in illegal detention or transport of detainees". He asked whether the State party could comment further on allegations of secret detention and transit of foreign suspects of terrorism in the light of an interview reported by the international media in 2014, in which a former Romanian official had reportedly stated that the Central Intelligence Agency of the United States of America had used centres in Romania, including a transit camp where prisoners were kept before being moved to other locations between 2003 and 2006.

30. In paragraphs 276 to 278 of the report, reference was made to the planned construction of two new prisons in order to alleviate overcrowding in the penitentiary system, but it had been reported that the projects had not started for want of funds. Romania had already been condemned by the European Court of Human Rights on account of its poor prison conditions. He asked when the funds to build the prisons would be made available. Were there any plans to improve conditions in the Gherla Penitentiary, a maximum security prison that had originally been built in 1540? He wished to know what concrete steps had been taken to achieve the strategic objective set out in paragraph 471 to ensure respect for the rights of inmates by "achieving the minimum standards for accommodation" in all places of detention.

31. **Ms. Pradhan-Malla** said that she shared the concerns raised by fellow Committee members and by the Committee on the Elimination of Racial Discrimination regarding the inhuman and degrading treatment of the Roma population, who were often excluded from or had restricted access to support systems. She asked whether the Government could provide information on the situation of the Roma and any action it had taken to provide access to support services for and to combat discrimination against minority populations.

32. In addition to the statistics provided in paragraphs 279, 304 and 311 of its report, she requested the State party to provide gender-disaggregated data. She asked whether specific measures were taken to respond to the different needs and experiences of women detainees and prisoners. She noted the changes made to the legal framework set out in paragraph 119 of the report in order to combat physical violence, including domestic violence, but it was not clear whether the law criminalized mental and sexual violence within the family. She asked the State party to provide statistics on violence against women, and details of prosecutions and of whether restorative justice ensured justice from the victim's perspective.

33. **The Chairperson**, speaking as a member of the Committee, commended the creation of the national preventive mechanism and underlined the need for sufficient resources to be allocated to it. He asked the delegation to share details on the mechanism's programme of work and the participation of civil society organizations in its activities.

34. Article 1 of the Convention referred to "discrimination of any kind" as an element of the crime of torture and not as an aggravating circumstance; thus abuse, including gender-based violence, was considered to be a form of torture. He noted that under the law in Romania, discrimination was considered to be an aggravating circumstance rather than an element that constituted a crime. He drew attention to the death of 26-year-old Gabriel-Daniel Dumitrache in a police station on 4 March 2014, as a result of which a police officer was facing a charge of assault resulting in involuntary manslaughter; under the Convention, the charge would be "torture" and not the lesser criminal charge of "assault", while

"homicide" would have been a more appropriate charge than "manslaughter". He sought an explanation as to the lack of proper classification of crimes in accordance with the Convention. As a university professor, he advocated the use of proper training, while observing that one case of proper punishment served the same purpose as one hundred training sessions. The absence of impunity served as an incentive for people to change their behaviour.

35. He was aware that the law provided for medical examination in detention, although numerous reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment had found them to be cursory or a mere formality; he asked whether the State party agreed with that assessment and what steps were being taken to ensure that thorough medical examinations were performed.

36. He supported the concerns raised by Committee members regarding the use of "administrative detention" and other forms of detention in which a detainee was deprived of the right to a lawyer or to a doctor or other safeguards.

37. The police performed an essential role in combatting terrorism and crime but it was worrying when there was no independent authority to examine allegations of misconduct against them. He asked what action had been taken to address discrimination in the police force, including in the case of the recruitment of Roma police officers. Except in cases of national security threats, it was important that the Romanian coastguard should continue to release asylum seekers, including children, during the course of its search and rescue activities.

38. **Mr. Tugushi** (Country Rapporteur) said that one of the challenges to be met by the national preventive mechanism in Romania would be the provision of specialized social care institutions, especially for persons and minors with disabilities. The institutionalization of persons with disabilities, including minors, had not been sufficiently reformed in Romania and a high number of people with psychiatric disorders were still housed in mental hospitals, while community and outpatient services had not been suitably developed. According to official data from the Ministry of Labour, 62,000 children deprived of parental care had been included in the special protection system in 2013, with 22,000 being housed in institutions. Children with disabilities in particular did not benefit from social inclusion measures. Official statistics on the ethnicity of children in institutions were not available, although information from non-governmental organizations in 2010 showed that 28 per cent of children in 22 homes were of Roma descent. He queried the high number of institutions for children with disabilities and the high number of cases of physical and emotional neglect, including corporal punishment and the use of unlawful restraints, in children's institutions. There was no effective avenue for minors to lodge complaints. He asked what plans were in place to reintegrate more children into families and into the community and whether any regular inspections of institutions were conducted.

39. Romania had made progress in the area of juvenile justice, and the amendment to the Criminal Code as of February 2014 abolishing the imprisonment of minors was a positive development. However, it would take time for the justice system to adapt to the changes and many minors were still being kept in prison-type institutions. He asked when all institutions would be brought into line with recent legal changes.

40. Although the placement of persons in psychiatric centres by local authorities could be subject to administrative appeal, the possibility to appeal was frequently denied because the related files did not contain the original decisions taken by local authorities. Procedures concerning placements must offer conditions of independence and impartiality and must be based on objective medical, psychological and educational expert reports; they should also be subject to judicial review. He asked whether the Romanian authorities planned to take legislative measures to bring procedures into compliance with accepted standards, in

particular by guaranteeing that individuals who were subjected to placement had all the legal safeguards to challenge it. Although de jure the position of patients in Romania was considered to be voluntary, their consent to treatment in practice (de facto) was not sought by the authorities. Therefore, the true number of involuntary patients in Romania was probably much higher than that recorded.

41. He asked whether the use of mechanical restraints in psychiatric institutions was duly recorded and if registers were kept in all institutions. He wished to know whether mental health-care facilities were monitored by national health authorities and how many complaints had been lodged by patients in mental health-care institutions concerning violations of their rights over the course of the previous year. Was an independent ombudsman appointed in hospitals to assist patients in bringing complaints?

42. He wished to know why the law allowed disciplinary procedures in prisons to be administered following certification from a local doctor that a prisoner was fit to undergo punishment, since the process could seriously undermine the relationship between doctor and patient.

43. **Ms. Belmir** (Country Rapporteur) said that the Special Rapporteur for migrant workers and their families had reported that the length of administrative detention for migrants fell into three categories: 6 months for those in an irregular situation; 2 years for those awaiting expulsion; and an indefinite period for those considered to be undesirables. The Special Rapporteur had also highlighted the plight of victims of international and domestic trafficking, who did not enjoy the protection of the State if they failed to cooperate with the authorities, even where they were exposed to reprisals. Furthermore, victims who cooperated were frequently treated as criminals by the agencies responsible for combating people trafficking. Children who were victims of trafficking or who had been abandoned by their parents were at particular risk of sexual exploitation, a problem compounded by the lack of birth registration and the status of migrants in the State party.

44. The discrimination against Roma and failure to respect their economic and social rights was evident in the frequent cases of eviction and rehousing that affected them. It was well illustrated in the case of a person who had left the country to work abroad and whose house had been sold in the person's absence. Such discrimination fell squarely within the definition of torture set out in the Convention.

The meeting was suspended at 12.05 p.m. and resumed at 12.15 p.m.

Meeting with the Chairperson of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

45. *At the invitation of the Chairperson, the Chairperson of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment took a place at the Committee table.*

46. **The Chairperson** welcomed the opportunity to strengthen cooperation and coordination between the two bodies and invited the Chairperson of the Subcommittee to present his eighth annual report (CAT/C/54/2).

47. **Mr. Evans** (Chairperson of the Subcommittee on Prevention of Torture), introducing the report, said that six new members had been elected to the Subcommittee in October 2014. Seventy-seven States parties, including most recently Mongolia, were now parties to the Optional Protocol, equivalent to almost half of the number of States parties to the Convention against Torture. There had been seven visits in 2014: three visits under article 11 (a) of the Optional Protocol (Azerbaijan, Nicaragua and Togo), three advisory visits to national preventive mechanisms (Ecuador, Malta and Nigeria) and one follow-up visit to the Maldives. The Subcommittee had decided to break off its visit to Azerbaijan

owing to obstructions it had encountered in the course of carrying out its mandate under the Optional Protocol. Following further discussions with the State party, the visit had been rearranged for April 2015 and first indications appeared to show that the visit had been a success. The number of visits planned for 2015 had risen to nine, including one follow-up visit and eight regular visits to Azerbaijan, Brazil, Guatemala, Italy, Nauru, the Netherlands, the Philippines and Turkey, which represented a significant step change in the Subcommittee's activities.

48. Some 61 States parties had established a national preventive mechanism, which reflected a high level of compliance with the obligations contained in the Optional Protocol and presented the Subcommittee with an exponential increase in its workload. Additional contributions to the Special Fund set up in accordance with article 26 of the Optional Protocol would therefore be required to enable the Subcommittee to successfully conduct its programme of visits and respond to State party requests for technical assistance.

49. In its annual report, the Subcommittee had outlined its views on several substantive issues, including pretrial detention, and intended to pursue that preventive approach in the coming years. Looking ahead, the Subcommittee wished to further increase the visibility of its work at the national, regional and international levels and intended to modify the current format of its annual report accordingly. It had recently created a Twitter hashtag to raise awareness of its torture prevention efforts and intended to issue regular statements, such as those concerning visit obligations and reprisals published during the course of 2014, as a means of addressing key issues on a more timely basis. The Subcommittee also planned to strengthen its cooperation with other international and regional bodies, as well as the Committee.

50. **Ms. Gaer** welcomed the report's focus on pretrial detention and women in detention, two very important substantive issues for both the Committee and the Subcommittee. Recalling the strict page limits on treaty body annual reports introduced under the treaty body strengthening process, she said that careful consideration would need to be given to combining the annual reports of the Committee and the Subcommittee. She proposed rather inserting a weblink at the end of the Committee's annual report, which would direct readers to an electronic copy of the Subcommittee's report. As to the Subcommittee's suspended visit to Azerbaijan, she asked whether, in the spirit of cooperation, the Committee should issue a statement commenting on the obstacles affecting the visit. She also wondered whether the Committee should consider establishing a Special Fund of its own as a means of strengthening its capacity. Lastly, she wished to know what criteria were used to decide which national preventive mechanisms should receive an advisory visit from the Subcommittee.

51. **Mr. Tugushi** asked whether the Subcommittee's views on corruption outlined in its sixth annual report had been reported upon by the media and, if so, whether that had helped to raise awareness of the issue. In the light of the Subcommittee's ambitious programme of visits for 2015, he wished to know whether there had been a corresponding rise in the number of secretariat staff in order to manage the additional workload. Regarding the increased number of national preventive mechanisms, he enquired whether the Subcommittee had identified any positive or negative trends in the mechanisms' capacity and level of independence. What steps had been taken to ensure that national preventive mechanisms received the technical assistance they required and how much of the Subcommittee's time was assigned to providing that support?

52. **Ms. Belmir** asked whether the Subcommittee actively collaborated with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and, if so, whether that cooperation had a positive impact on the outcome of the Subcommittee's visits to European States parties.

53. **Mr. Bruni** welcomed the Subcommittee's paper on reprisals, which set forth the measures available to Subcommittee members who became aware of the existence or threat of reprisals during country visits. He questioned, however, the advisability of certain measures, such as abandoning a visit if the threat of reprisals was shown to exist or publicizing the threat via local or international media, both of which could leave persons at risk even more exposed to the very ill-treatment and abuse the Subcommittee was trying to prevent and in the latter case could violate the confidential nature of the visit.

54. **Mr. Modvig** asked whether the Subcommittee had strengthened its participation in the Convention against Torture Initiative and whether it intended to implement measures aimed at increasing civil society involvement in torture prevention efforts. Lastly, he stressed the importance of increasing cooperation and collaboration between the Committee and Subcommittee to ensure the most effective use of resources and avoid duplication.

55. **Mr. Evans** (Chairperson of the Subcommittee on Prevention of Torture) said that the Subcommittee intended to draft a more in-depth statement on the particular difficulties and risks faced by women in detention for inclusion in its next annual report. The idea of combining the Committee and Subcommittee's annual reports in one document posed a great problem. The inclusion of a weblink at the end of the Committee's annual report pointing to the Subcommittee's report would not be appropriate given that the Subcommittee was a full member of the treaty body system and a full version of its annual report must be made available. The issues that had resulted in the suspension of the initial visit to Azerbaijan had been resolved and the current visit had been progressing well. The Subcommittee's subsequent report would provide further information and analysis of both visits to the country.

56. As to the increase in staffing numbers required by the additional visits, the Subcommittee had taken innovative steps to increase its resources, such as fostering greater direct contact between Subcommittee members and States parties and employing an additional secretariat member. With regard to the criteria used to arrange advisory visits, the Subcommittee preferred to organize visits to national preventive mechanisms with which it had had prior contact so that it could accurately assess the de facto implementation of the Convention.

57. The Subcommittee made great efforts to include a wide range of stakeholders in its substantive discussions, including civil society organizations, and had sought to increase its participation in the Convention against Torture Initiative. It welcomed the opportunity to work closely with other organizations such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and had seen an improvement in the outcomes of its visits to European States parties as a result.

58. Following the publication of its sixth annual report, more attention had been paid to combating corruption at all levels as a means of preventing torture and there had been a clear overall strengthening in the capacities of many national preventive mechanisms. The issue of reprisals presented a series of options and Subcommittee members were encouraged to carefully choose the most appropriate measure to respond to each individual threat.

59. **The Chairperson** thanked Mr. Evans and said that coordination and cooperation between the Committee and the Subcommittee should continue.

The meeting rose at 1.05 p.m.